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Notice of Allowability	Application No.		Applicant(s)	
	10/040,433		YOSHIMURA ET AL.	
	Examiner		Art Unit	
	Dah-Wei D. Yuan		1745	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/12/04.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ The drawings filed on 09 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Art Unit: 1745

ALUMINUM OR ALUMINUM ALLOY-BASED LITHIUM SECONDARY BATTERY

Examiner: Yuan

S.N. 10/040,433

Art Unit: 1745

April 14, 2004

Detailed Action

1. The Applicant's amendment filed on April 12, 2004 was received. Claims 7-9,11-13 were cancelled.

2. The text of those sections of Title 35, U.S.C. code not included in this action can be found in the prior Office Action issued on January 27, 2004.

Claim Rejections

3. The claim rejections under 35 U.S.C. 112, first paragraph, on claims 12,13 are withdrawn because they have been canceled. The claim rejections under 35 U.S.C. 102(e) as anticipated by Tomiyama et al. on claims 7-9 and 11 are withdrawn because they have been canceled.

Reasons for Allowance

4. Claims 1-6 are allowed. The invention of independent claim 1 recites a lithium secondary battery comprising at least a positive electrode, a positive electrode connecting member, a negative electrode, a negative electrode connecting member and a non-aqueous electrolyte. The positive electrode connecting member is composed of a clad material comprising (1) one of aluminum and aluminum alloy, and (2) one of austenitic stainless steel and ferrite stainless steel. The closest prior arts of record, Sakamoto et al. and Tomiyama et al., do

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not teach or suggest such combination for use in the positive electrode connecting member.

Sakamoto reference only teaches the positive electrode current collector can be an aluminum foil, an aluminum alloy foil, a nickel foil, and the like. Tomiyama reference teaches the positive electrode current collector is made of an aluminum foil containing manganese and magnesium. There would be no motivation to use a clad material for the positive electrode connecting member in a lithium secondary battery because it involves additional manufacturing step(s) and cost.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dah-Wei D. Yuan whose telephone number is (571) 272-1295. The examiner can normally be reached on Monday-Friday (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Ryan, can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

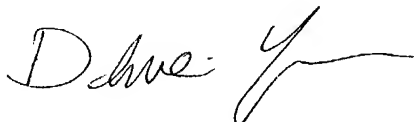
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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dah-Wei D. Yuan
April 14, 2004

A handwritten signature in cursive script, appearing to read "Dah-Wei D. Yuan", followed by a long horizontal flourish.